# SECRETARY OF STATE STATE PLAN COMMISSION MARCH 26, 2003 MEETING YANKEE HILL ROOM III, THE CORNHUSKER LINCOLN, NE

#### **DRAFT MINUTES**

### 9:30 A.M. **Welcome and Introductions** – *Martha Gadberry*

#### **Commission Members Present:**

Dale Baker, Amy Bracht, Holly Burns, Sara Crook, Kathy Hoell, Lois Poppe, June Remington, Carlos Serván, David Shively, Steve Virgil

## Also Present:

John Gale, Secretary of State
Neal Erickson, Assistant Secretary of State for Elections
Carol Prokop attending for Mike Scarpello
Amy Buresh attending in the afternoon for Carlos Serván
Donna Goldsberry, Recorder for Gadberry & Associates
Martha Gadberry, Gadberry & Associates, Facilitator

### **Absent Commission Members:**

Pauletta Gerver, Wayne Houston, D'Andra Orey, Mike Scarpello, DiAnna Schimek, Tim Shaw

An updated State Plan Commission Member and Contact listing was distributed.

### **Agenda Review** – *Martha Gadberry*

The agenda (Appendix A) was reviewed and ground rules agreed to.

## **Discussion Topics** – *Martha Gadberry*

Discussion topics were reviewed:

- 13 Requirements
- Election Process
- Equipment Exploration
- Equipment Demonstration

# **Additional Discussion Items** – *Martha Gadberry*

The March 18, 2003 State Plan Commission minutes were approved.

Upcoming meetings will be held at the County Inn and Suites located at North 27<sup>th</sup> Street. Directions and lunch choices will be emailed to Commission members.

It was noted that a list of questions should be accumulated for Neal Erickson's response, as he will not be able to attend all sessions.

Martha informed the Commission that the Arizona report is available. It can be viewed at http://hava.sos.state.az.us/

## **13 Requirements Review** – *Martha Gadberry*

The Thirteen State Plan Requirements Annotated with Questions and Clarifications handout was reviewed and additions to this document based on group discussion are listed below. A document incorporating these additions will be dated April 1, 2003 and emailed to Commission members.

### Additions to #3

- Bilingual bicultural poll worker
- Accessibility knowledge by poll workers
- How do we obtain and select poll workers to secure bicultural language and disability sensitivity and capacity?

## Additions to #4

- If there is an over vote on only one contest, the rest of the votes are counted
- At least one DRE-type voting machine at each location is required by law
- Disabled private and unassisted voting is required
  - Voice only input and output voice input is not available from vendors yet
  - Kathy Hoell will contact Mark Schultz with Assistive Technology Partnership to determine what existing voice input adaptation is available from vendors
- Officials could take a DRE to another location
- Multiple precincts at same location could use 1 DRE
- Diverse state requires flexibility
- Neal noted that the bill for requiring first time voters who register by mail to provide identification when they vote is on final reading so will not require the Commission's attention.
- Neal also noted that a law would be going into effect approximately September 2003 addressing the criteria for choosing components of a central statewide voter registration system.

#### Additions to #9

Multiple languages

#### **Local Election Process** – Dale Baker

### Registration Form Includes

#### Current:

- Citizen
- 18 years
- Not mentally incompetent
- Not a felon

#### Ideas:

- Consider adding "assistance needed" on form
- Improving timely submission from agencies who register voters

#### Precincts

#### Current:

- Size is limited by maximum number of voters (not registered voters). No minimum number of voters.
- There can be no split districts (for legislature, etc.)
- No rural mileage guidelines. How far a voter travels is not a criteria for selecting precincts.
- There are multiple ballot faces at some precincts

### Election Preparation

#### Current:

- Law requires sample ballots to be published in newspaper in one language. English is chosen.
- Other distribution options for sample
  - Libraries
  - Mail it out on request
  - Websites

#### Ideas:

- Consider publishing in Spanish language newspapers
  - Required or optional?
  - Cost considerations who should pay?

#### Poll Workers

## Current:

- Election Officials 6 in the state. County employees fill in for the rest of the counties. They recruit through party chairs or lottery.
- County Clerks
  - Political parties are invited to suggest workers by February 1. Clerks recruit the rest.
- Average age runs 62-80
- Douglas County 2400 2600 poll workers
  - Lottery selection have to serve 4 elections. Required to attend training. Receive stipend for training.
  - Find own substitutes
  - Substitute Board fills in for no shows
- Lancaster County 1100 poll workers
- Longevity helps turnout over time. Voters learn to trust poll workers.
- Voters in Grand Island mostly women, ages 25-65. It is the pool for poll workers.
- Douglas County lottery aims for ages 25-45 to recruit workers

#### Ideas:

- Consider recruiting language skills and running ads in Spanish
- Look at using 17-year-old nonregistered voters
- Expand pool of registered voters
  - Young
  - Spanish speaking
  - Handicapped, etc.

11:00 A.M. Break

11:10 A.M. Meeting called back to order

### **Continuation of Local Election Process** – Dale Baker

### Absentee Ballots

#### Current:

- Bilingual are provided in counties as required by 2000 Census figures
- Lancaster County has check-off on envelope for voter assisted

## Election

#### Current:

- Resolution Board reviews ballots with double votes if erasures indicate intent
- 5 officials at each precinct Representatives of 2 parties are required

## **Conditional Voting**

#### Current:

- Have to vote in precinct where you reside by law
- Can't cross county lines and get a conditional ballot
- New laws have to let people know if their vote counts

#### Counting Ballots

#### Current:

- People like hard copy
- Candidates like it for recount

# State Election Office Activities by Secretary of State – Amy Bracht and Dave Shively

- Trains new officials
- Annual presentation to NACO
- Conducts summer workshops
- January training by SOS is required for officials and clerks
- Possibly provide video for training support in the future
- Provide certification to locals of legitimate official candidates
- Counties print ballots
  - Party of Gov. is listed first at General Election

#### 12:00 Noon Lunch Break

### 12:40 P.M. Meeting called back to order

Martha reviewed the agenda items that were covered in the morning's meeting and recapped the focus (top priorities) of the Commission.

### Focus

- #3 Programs

- #4 Equipment
- #6 & #10 Budget

# Civil Rights Letter - John Gale

Secretary Gale handed out a letter from the U.S. Department of Justice, Civil Rights Division, outlining areas of focus.

- Media Attention to this Commission
  - Civil Rights document is ok to provide to local media
  - Initial Press Release Amy Bracht to distribute to the Commission for their local use
  - This group is considered a Commission rather than a committee
  - It is ok to generate local story
  - Copy of press release contains a list of where it was run
- \$15 to \$20 million for Nebraska should be enough to meet mandates
- Liability for noncompliance no info
- This commission does not fall under the requirements of the open meetings law
- Can others attend? Yes, as long as the work of the group is not inhibited nor discussion time shortened.

## **Voter Perspective** – *Group*

#### Current:

- Elderly poll workers and voters raise these issues
  - Fear of machines
  - Training and PR implications
- No paper scary for some people
- Young voters want technology
- Community groups help
  - Area Agency on Aging (AAA) Lincoln
    - Newsletter do a story on new machines
    - Have models in agencies
- Hard to measure higher education campus response to outreach
- Higher education schools confusion on where to vote home or school location
- Have used Fire stations, movie theaters, schools, churches, and nonpublic building for polling place
- For nonpublic buildings, we pay stipends

#### Ideas:

- Disabled voters must be accommodated and may want to be poll workers
- NETV program
  - Publicize and educate on new equipment on local access cable
- Neighborhood associations
- Advocacy groups, especially for language skills
- Indian reservations
- State resources to guide training
  - Resources for community training
- Grant mini for training
- National training for African Americans, Hispanics, Latinos
  - Might be used for registration
  - Voters tailor training locally

- Awareness Education Hands On 3 types of education and training
- TV is the best resource
- Schools, Websites, MTV
- Change locations to increase voting
  - Young
  - Disabled
  - Options for locations may be limited
- Look at ways to make less friendly into more friendly, i.e., doorbell for disabled to get someone to help with doors
- Poll places should be real visible
- New direction of how voters buying into voting
- Consider providing early voting at satellite locations
  - Rent, DRE, staffing are the costs
  - Registered voter verification

Martha asked that proposals regarding the 13 requirements be emailed or sent to her for consolidation and distribution to Commission members to review.

## Request for Proposals – Request for Information (RFP-RFI) – Neal Erickson

- RFI used as a tool to determine what is available in the marketplace
- RFP specific on the qualities needed
- Provide to contractors to respond SOS has to certify equipment first and currently only 3 are certified
- There are 4 major equipment vendors
  - Election Systems & Software (ES&S) certified
  - (Global) Debold certified
  - Seguoia
  - Heart Intercivic
- 2nd tier equipment vendors
  - Avante certified
  - Vote Tech

#### **Equipment** – *Group*

- Full face of the ballot on the DRE is rare
  - Some states require it
- Have to go through entire ballot before you can finalize your vote
- Can enlarge print on the DRE
- Can we delay purchasing until technology bugs are worked out and prices are better
  - SOS plans a 2004 RFP for DRE and 2nd Chance Voting
- Ballot rotation is an issue
  - Nebraska is an unusual system and would be unlikely to change
- Can page through quickly
  - Can skip a contest

## **Agenda Items for Next Meeting** – *Martha Gadberry*

Consider proposals

# 2:30 P.M. Meeting called back to order

# **Equipment Demonstration** – Dave Shively

- ADA accessible DRE
  - Personal Electronic Ballot (PEB) activates the machines
  - Can the font size be changed? Yes.
  - In Multilanguage
  - Can choose between audio or visual ballot
  - Has volume control on headsets
  - Is battery powered in case of power failures
  - Votes are located in 2 or 3 places on machine for backup purposes
- Do any machines have the capability to assign a specific ballot to a specific person? No, but is precinct specific.
- Not feasible for 93 counties to have tech support on hand
  - Lancaster, Douglas and Sarpy counties have a designated person on site Election Day to service technical problems
- Should the county or state purchase the equipment?
  - One person recommended state for uniformity purposes
    - \* All counties should have the same equipment and service
    - Mass purchasing is more economical
  - May be some resistance from counties not wanting to change existing systems
- Important to select a reliable vendor
- When will new systems be available? Unknown.
- Training should be included with the vendor contract
- Public education is critical
  - Under voting and over voting may be difficult
- Conditional voting if they registered within a county and move and try to vote in the wrong place
- Provisional voting paperwork from DMV or other agencies has not been received
- We observed the precinct counting procedure
  - Counts 400 double-sided ballots per minute
  - Several counties still hand count
  - Other counties take their ballots to a county with precinct counting equipment

3:40 P.M. Meeting adjourned

### APPENDIX A

# Secretary of State State Plan Commission Agenda March 26, 2003

9:30 A.M. Welcome Martha Gadberry

Self-Introductions

Desired Outcomes: #3 & 4

Martha Gadberry

Explore Election Process
12:00 Noon

(Working Lunch)

• Explore DRE in a demonstration

• Identify questions to continue with

Next Steps

**Ground Rules** 

- One at a time
- If in doubt, ask
- Look for agreement
- Half-baked ok
- All ideas ok today
- Cells outside

4:30 P.M. Adjourn Meeting Martha Gadberry